

of legislation that says if the administration or an agency promulgates a regulation, and we do not like it, we can overturn it. We have done that in the past, and that is what this is all about. It is a nondebatable motion to proceed to the resolution, and there are 10 hours of debate with no amendments in order.

We also have—even though we can say it quickly, it is going to take some time—the emergency supplemental, which will be on the floor next Wednesday. We need to complete this before the recess. We are not going to be panicked into completing this. We know there is enough money to fund the troops for a considerable period after the Memorial Day recess. We want to get it done, and we will do our best to get that done, but we are not going to be pushed into doing something we do not think is appropriate.

On judges, I committed to Senator MCCONNELL that I would use my best efforts to have the Senate consider three court of appeals nominees before the Memorial Day recess. I have been working with Senator LEAHY to meet that pledge. The nomination of Steven Agee to be a Fourth Circuit judge should be available for debate late this week or early next week.

We are also trying to move forward on two court of appeals nominees from Michigan. The problem we have had with that is Republicans on the Judiciary Committee complained that Chairman LEAHY is moving these too quickly. So, Mr. President, they cannot have it both ways. If I am going to do what I said I would do, we need some cooperation from the Republicans. I cannot push the committee to take up nominees they do not want. It is my understanding these two appeals court nominees from Michigan have been worked out over a period of 6 years. It has taken a long time to get to where we are now. So I would hope the Republicans would back off their slow-walking this. Otherwise, we are not going to be able to complete these nominations before the Memorial Day recess.

Finally, we are going to do our utmost to get a vote on an energy package before we leave for the Memorial Day recess. I repeat, we will likely have to have votes on this Friday. We will do them as quickly as we can. There will be no votes on Monday. We have had a number of requests over many months for people who have things to do in their home States on that day. There will be no votes on Monday. So that is going to make everything very difficult next week because I have outlined the many different things we have to do.

#### TRAGEDY IN BURMA

Mr. REID. Mr. President, over the past several days, we have seen a terrible tragedy unfold in Burma. The official death toll from that cyclone is unknown. But we know the number is in the tens of thousands. We have tens of thousands missing.

International aid organizations fear we are still in the beginning stages of this catastrophe. It is estimated that more than a million and a half people remain in desperate need of help. They are becoming more desperate every day.

Without international aid and expertise, many of these men, women, and children will likely lose their lives to starvation, dehydration, and disease—cholera, typhoid are two among them.

The relationship between the Burmese regime and the global community is complicated, and that is an understatement. In this hour of staggering desperation, the junta must put politics aside and accept the outstretched hand the world is extending to them.

Burma is a government run by dictators. They are nondemocratic. We have had problems with them for years. Senator MCCONNELL has spoken on this floor over the years focusing attention on the nondemocratic process in Burma and how the international community should join the United States in doing something about this.

Today, finally, one American plane was allowed to land in the country—one. This is a start, but it is far few too many loads of supplies. Not only are the supplies having difficulty getting in, but the military folks in Burma are not allowing the international community to help, and they are the ones who have the expertise.

Each day that goes by is a sad day in that country. We have seen the pictures over the weekend of the children lying dead, having died from typhoid.

The junta must allow more supplies, provide visas to aid workers from around the world, and allow those workers access to regions and communities that are suffering very much.

Senator MCCONNELL and I join together to say to the junta: Let the world in. Let us help.

#### CONSUMER FIRST ENERGY ACT

Mr. REID. Mr. President, on Friday, oil hit yet another record high. I do not know what it is today. It dropped 50 cents last night to more than \$125 a barrel. But on Friday it was above \$126 a barrel. If it drops—which we hope it does—to \$110, \$105, \$100, \$90, \$95, it should not be a day of celebration. Oil is a difficult problem for our country.

The average price of a gallon of gasoline in America today is now above \$3.60 a gallon. That is the average. In Nevada, it is more than \$3.80 a gallon. Diesel—the fuel that moves the goods we buy—has hit \$4.15, on an average, around the country.

Seven years ago, when President Bush took office, the average price for a gallon of gasoline was about \$1.50. Now it is 2½ times more than that.

At first, the steady rise of gas prices was a nuisance. Then it became a burden. Now it is a full-blown crisis. More than 7 in 10 Americans now say gas prices have created financial hardships in their lives. Nevadans are paying, on

average, \$3,000 more per year for gasoline than they did 7 years ago.

Millions of working people all across America are now spending the first few hours of their workday earning back what they paid for their commute. It costs more than ever to heat and cool our homes. Everything costs more. We have a problem with these people who are paying—in Nevada, \$3,000—more than they did 7 years ago for gasoline. It affects their house payments, car payments, their medicine, whether they can send their kids to college. It is very difficult—what kind of groceries they buy. It wipes out most vacations.

School districts in Nevada and around the country are forced to make cutbacks in the classroom because the cost of school buses has never been higher. I met with the officials of commercial airlines in the United States a short time ago in my office across the hall. They said almost 50 percent of the cost of flying an airplane in America today is fuel. It is not that way in Europe because the dollar is so weak they get it much cheaper than we do.

Small businesses are struggling under the burden of record-high shipping costs. The \$60, \$80 or more Americans are paying at the pump means less money for other necessities—I have mentioned some of them—but the gas pump is just the tip of the iceberg. Almost every part of the economy is weighed down by the price of oil and gas.

The American people deserve both short-term and long-term ends to this crisis. Last year, Congress took the first step by passing new energy legislation that raised fuel economy standards for the first time in almost 30 years and required the Bush administration to investigate market price manipulation. But Republicans blocked our efforts to include a mandate for clean, renewable electricity, and we have seen very little action from the White House on market manipulation.

It is clearly time to take the next step by passing the Consumer First Energy Act, which will help lower prices in the short term and continues to curb our addiction and invest in renewable energy to avoid an even greater crisis in the long term.

First, this legislation includes a provision that ends the billions of dollars in tax breaks for oil companies whose executives have been hauling record profits while we pay record prices. Oil executives are making fortunes. The oil companies—these international cartels is what I call them—are making more money than any companies in the history of the world. Seven years ago, Vice President CHENEY invited oil executives to the White House to write our national energy policy. Is it any surprise that 7 years later the only ones who have benefited from that policy are the oil companies?

The second piece of our legislation forces the oil companies to do their part by investing some of their profits

in clean and affordable alternative energy. If we aggressively promote innovation in solar, wind, biofuels, and geothermal energies, we can help lower energy costs, create hundreds of thousands of new jobs right here in America, and strengthen our national security by reducing our dependence on oil-producing nations.

The third provision: We protect the American people from price gougers and greedy oil traders who manipulate the market. Part of the reason for the record-high prices of oil is that market traders are bidding prices up for their own amusement and profit. If you go buy a share of General Motors stock, you pay a margin of 50 percent. If you buy 100,000 gallons of fuel or barrels of oil, you pay a 3- to 5-percent margin. They have pushed these prices up remarkably with their speculation. They make out like bandits, but the rest of us have to face the real-life consequences of their recklessness.

Now, we also have a provision to temporarily stop filling the national Strategic Petroleum Reserve, which is already 97 percent full, to increase supply and lower prices. We are told it increases prices by as much as 5 cents a gallon. When oil prices come down significantly from their current levels, we can continue filling the Reserve. For now, 97 percent capacity is sufficient.

Tomorrow for our vote, we are going to take this fourth provision out of our energy package and we are going to vote on that. That will be our second vote. It is important that everyone vote for this. This should be bipartisan. The Republicans wrote a letter to the President—some Republican Senators—saying: Mr. President, stop pumping that oil into the Reserve. I hope they will join with us tomorrow so we can get past the 60-vote margin that is required here to pass legislation.

Finally, our plan stands up to OPEC and countries that are colluding together to keep oil prices sky high. This is a provision that has been pushed by Senator HERB KOHL of Wisconsin for a long time, and that is in our legislation. Global commerce requires global leadership. Oil-producing nations are earning billions of dollars from American consumers. For most of these countries, the oil trade is their overwhelming source of income. It is time to use some diplomatic pressure to increase production and lower prices.

Our legislation does exactly what it promises: It ends more than 7 years of Bush-Cheney energy policy that has lined the pockets of modern-day oil barons and left the American people to pay the bill. Is it a silver bullet? Of course not. Is it a bill that will solve all of our energy problems? Of course not. But it is a good piece of legislation.

The United States has less than 3 percent of the oil reserves in the world. That counts ANWR and offshore. So we can't produce our way out of it. Should we produce more out of the 3 percent

we have? Of course. We are going to continue to work on that. But we consume 25 to 30 percent of all of the oil in the world, even though our population probably doesn't justify that.

This legislation is an important step, one that will make a difference in the short term and in the long term. It offers new thinking, new investment, and a new direction, not more of the same. So I urge my Republican colleagues to join us in passing this important piece of legislation starting tomorrow by passing a law that will tell the President: No, you can no longer pay \$125 a barrel to put oil into the Strategic Petroleum Reserve. Save that for later.

Finally, Mr. President, we are going to vote tomorrow on an important piece of legislation. Woven deep within our collective memory of every major American disaster is the image of first responders who risk their lives to save others. September 11 is graphically illustrative of that fact. The firefighter who goes back into a burning building saving an elderly man or woman, the medic who tends to victims as ambulances race to the scene, the police officer who cordons off an area and redirects those in danger to safety—every one of those first responders is a hero. Yet far too often their heroism is overlooked. This week, we are going to have an opportunity to honor their service with legislation that will keep them safe and will save lives and will also allow them to receive the fair pay and benefits they deserve.

Senator KENNEDY and Senator GREGG have done an outstanding job writing this bipartisan bill. Their work is a model for what we can accomplish when we abandon partisanship and embrace the common good.

This legislation is a bill all Senators can and should support. This legislation provides first responders the dignity and respect they have greatly earned by guaranteeing them the right to collectively bargain. That is a right most private sector employees and public sector employees in 29 States plus the District of Columbia already have. It will mean better wages, hours, working conditions, and benefits for those we count on in a time of crisis. We may never be able to put a fair price on heroism, but this legislation is certainly a start.

Firefighters—not just those from New York but from surrounding areas—suffered the greatest losses on September 11. The recent tragedies such as the fire last summer in Charleston, SC, that took the lives of nine firefighters or the senseless loss of two firefighters in Roxbury, MA, last September serve as a reminder of the dangers these men and women face every time they go to work.

Last Friday, I was in Philadelphia, and I was going to a place called the Free Library. It was a rainy day. Of course, that cut the crowd down a little bit. But the thing that cut the crowd down more than anything else, that brought traffic to a standstill was

the funeral of a police officer. He stopped some people who had robbed a bank, and one of them stepped out of the car with an assault rifle, an automatic weapon—not a semiautomatic weapon but an automatic weapon—and he was shot many times and killed.

Police officers put their lives on the line all the time. They do it for us. There is not much we can do usually to put a fair price on that heroism, but tomorrow we can do that. This legislation is the start of that.

This right to collectively bargain respects States rights. The 29 States already providing the right to collective bargaining for public safety officers would not be affected. The 21 States that don't provide for collective bargaining would have the opportunity to establish their own systems or they may ask the Federal Labor Relations Authority to assist in the process.

This legislation guarantees fairness in public safety by expressly outlawing strikes, lockouts, and all forms of work stoppage. That is why this is a good bipartisan bill. By guaranteeing collective bargaining and providing better wages and working conditions, this will improve public safety.

It is without any question that first responders who are paid fairly and treated with respect will keep their jobs longer and perform more efficiently and save the taxpayers money. Communities across America can rest more easily knowing their local police, firefighters, paramedics, and other first responders have long and sustained ties to the neighborhoods in which they work.

I met with police and firefighters from Nevada and around the country to discuss this legislation. They, along with their brothers and sisters across all of America, are just the same as those in Nevada to whom I have spoken. They want us to do everything we can to urge all Senators to take action. They welcome this opportunity to receive support to do their jobs more effectively and to help them provide for their families and protect our families. I urge my colleagues to stand with America's brave first responders by supporting the Public Safety Employer-Employee Cooperation Act.

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#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

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#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 5:30 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

The Senator from Iowa is recognized.